

Michigan House of Representatives

Members of the House Judiciary Committee

May 2, 2007

Hearing on House Bill 4259

• Support Statements and Supportive Research as submitted by the Coalition for Adoption Rights Equality, Inc.



The National Resource Center for Special Needs Adoption

16250 Northland Drive, Suite 120, Southfield, MI 48075 248.443.0300 or 248.443.7080 fax: 248.443.7099 Web Site: www.spaulding.org

Addie D. Williams, MSW, JD, President/CEO

Representative Paul Condino, House Judiciary Committee Chair N0799 HOB PO Box 30014 Lansing, MI 48909-7514

Dear Representative Condino:

Spaulding for Children is a private, non-profit child welfare agency that finds permanent homes for children that have been in the foster care and adoption system the longest. We are nationally recognized as a leading authority on the adoption of children from the child welfare system. Spaulding for Children's mission is to assure that all children grow up in safe, permanent families and have the help they need to be successful in life. On behalf of Spaulding for Children, I am writing to support of HB 4259, a child welfare bill that will expand the pool of adoptive parents and help us meet our goals.

In 2007, Michigan had approximately 6,300 children waiting to be adopted, 41 percent of whom were older than 10. We know that the older the waiting child, the less likely he or she is to be adopted; indeed, these children are more likely to "graduate" from foster care than to ever live in loving families. In Michigan, for example, nearly 80 percent of those who enter foster care at age 12 or older will leave the system without returning to their original homes and without being adopted (U.S. Children's Bureau, 2005). Statistics show that 47% of the children who age-out of foster care and end up homeless, 54% are on public assistance, and only 36% graduate from high school.

Currently, there are more children needing homes than there are trained families available. Because of the lack of trained foster and adoptive parents, children are staying in care and are moving from home to home more often. House Bill 4259 will allow for two unmarried parents to adopt a child from foster care. This will open up the pool of qualified adoptive parents and assist in finding permanent homes for children. For example, many of Michigan's children are placed with relatives, some of whom are single-parents but who have another relative acting as a second parent. If the relative provider passes away, the child becomes a ward of the state yet again. HB 4259 will allow a relative to identify another person to become the child's adoptive parent, thereby ensuring permanency. This is more preferable than guardianship, as adoption ensures permanence in all realms – legal, psychological, and financial.

Second parent adoption is important because children who are adopted by both partners in a couple or by two relatives are eligible for financial support, health insurance, Social Security benefits, inheritance and a host of other protections from both their parents. A child with two parents has a broader safety net and financial security and, he or she still has a legal parent if one parent dies or becomes unable to care for the child. The financial and emotional benefits that come with second parent adoption are invaluable to children.

Thank you for allowing Spaulding for Children to offer input on this important issue. Passing House Bill 4259 will improve the lives of hundreds of children. Please contact me if you have any questions or want more information.

Sincerely,

Addie ♥ Williams

Addie Williams, CEO



Statement from Bishop Wendell N.Gibbs, Jr. Bishop of the Episcopal Diocese of Michigan Regarding Second Parent Adoptions

In 2005, representatives from the 93 congregations in the Episcopal Diocese of Michigan passed a resolution supporting legislation legalizing second parent adoptions. As a Christian community, we find no legitimate reason not to support this issue. The facts are in and the time for deliberation is over. There are over 17,000 Michigan children in foster care and over 6,000 of them are available for adoption. We are fortunate in this state to have a pool of viable, responsible, caring and qualified parents eager to offer safe homes for these children. It is no longer reasonable to believe that a loving couple must participate in the institution of marriage in order to be good parents.

For unmarried couples already making the decision to adopt children, even though they cannot do so jointly, this bill will finally give those couples the legal recognition they need to do what is in the best interest of their children. As a community, we owe it to all parents to provide them with the resources they will need to handle the important job of being a parent and do it well. More importantly, we owe it to these children to have the same rights and access to health care, social security and other important benefits as any other child in Michigan. It is time to put aside the deceptive and uninformed objections to this bill and do what is right.

As the Bishop of the Episcopal Diocese of Michigan, and as a parent, I applaud the introduction of this legislation and join my Christian brothers and sisters in calling upon our elected officials to pass this bill into law and put an end to the unjust punishment of children of unmarried couples.

The Rev. Dr. Gordon F. Weller, Rector St. Paul's Episcopal Church 218 W. Ottawa, Lansing, MI 48933 1-517-482-9454 gordonweller@stpaulslansing.org

Statement in Support of House Bill 4259 - Second Parent Adoption -

As a member of the local religious community, specifically the Christian community, we espouse values that were used to create the Constitution of this Nation and State. These values are continually cited as the basis for and measuring rod of many of the new and modified laws that are considered in each session of the legislature. Two core values of most religions are those of Mercy and Justice. I would use those two criteria to support House Bill 4259.

Those to whom the most mercy should be shown are those who do not have the ability to speak for or defend themselves. This is the position of those in the adoption system. The government, which speaks for the people and those in the adoption system, should make every effort to provide as many good parents as possible. Research has shown, time after time, that children thrive when they are loved and nurtured. The Government, when ever possible, should make and amend laws that seek this support for children. The law, as it is presently constituted, does not allow many active and qualified individuals the ability to establish and continue a loving relationship.

As an issue of Justice, HB 4259 gives legal protection to those who are adopted the right to continue to have a relationship with two parents should something happen to the <u>one</u> who has been granted the legal responsibility. I speak from a personal and pastoral perspective when I say that those who have established the bond of a parent/child relationship are being done an injustice if the law does not support the emotional reality of the situation. I know several people who have adopted and only one parent has legal standing. They live in fear that should calamity strike; they will be in further peril because of the law as it is currently written.

I urge the passage of HB 4259.

Gordon F. Weller



April 13, 2007

Representative Paul Condino N0799 HOB PO Box 30014 Lansing,MI 48909-7514

Beverly Davidson, President CARE, Inc PO Box 2784 Ann Arbor, MI 48106-2784

Dear Representative Condino:

The Evan B. Donaldson Adoption Institute is the leading research, policy and education organization in its field. It is independent, nonpartisan and derives no income from child placement. Its mission is to improve policies and practices for everyone touched by adoption, especially children. One of our primary goals, therefore, is to assure every child has a safe, loving and permanent family. Research and experience show that for many boys and girls, especially those languishing in foster care, adoption is a critical part of such assurance. Based on this knowledge, we are writing in strong support of HB 4295.

According to the U.S. Children's Bureau, over 100,000 children in foster care are awaiting adoption. In 2007, Michigan has about 6,300 children waiting to be adopted, 41 percent of whom are older than 10. Research demonstrates that the older the waiting children, the less likely they are to be adopted. Indeed, they are more likely to "graduate" from foster care than to ever live in a loving, permanent family.

In Michigan, for example, nearly 80 percent of those who enter foster care at age 12 or older will leave the system without returning to their original homes or being adopted (U.S. Children's Bureau, 2005). The data are all too clear on what awaits them. Children who "age out" of foster care are at great risk for homelessness, poverty, substance abuse, early pregnancy and incarceration. These children need permanent families – not just until they turn 18, but for their lifetimes.

The emotional and social costs to children who never have permanent families are harder to quantify – although we know they are enormous. We can determine, in part, the cost to the taxpayer, however. To put it simply, adoption is much less expensive than foster care. Dr. Richard Barth, one of the preeminent researchers in the field, and his colleagues recently released a study that found governments save \$35,800 per child for every 100 foster care cases closed due to adoption over the first eight years, compared to the expense of keeping those children in foster care (Barth, Lee, Wildfire & Guo, 2005).







Yet there are too few prospective parents for the thousands of children in foster care who cannot go home. In a recently published study, the Adoption Institute found that gay or lesbian parents provide nurturing, loving homes and that their children fare similarly to children raised by heterosexual parents. They are also committed adoptive parents, and can be a valuable resource for the children at risk of aging out of foster care, as they are more open than others to take on children with special needs. The research showing that gay and lesbian adults can be nurturing adoptive parents comports with the findings of other mainstream organizations (i.e., not ones with gay/lesbian advocacy agendas), including the American Academy of Pediatrics, the American Bar Association, the Child Welfare League of America, the North American Council on Adoptable Children, among many others.

The adoption of waiting children is less likely if a state does not allow both partners to adopt. HB 4295 is a remedy to this impediment.

Why is second parent adoption so important? Children who are adopted by both people who parent them are eligible for financial support, health insurance, Social Security benefits, inheritance and a host of other protections from both their adoptive parents. Perhaps most important, a child with two acknowledged parents has a heightened level of security and support and, it is essential to point out, the child still has a legal parent if one parent dies or becomes unable to remain a care-giver. In a nutshell, the financial and emotional benefits that come with second parent adoption are invaluable to children.

Thank you for taking this issue so seriously, and for taking the Adoption Institute's input into account as you consider this important step forward for waiting children. By approving HB 4259, you have the opportunity to improve the lives of many, many boys and girls. Again, we strongly urge you to do so.

Please feel free to contact us if you have any questions or concerns, or if we can provide any more information related to this much-needed legislation.

With best wishes,

Adam Pertman
Executive Director

apertman@adoptioninstitute.org

617-332-8944

Jeanne Howard

Research & Policy Director jhoward@adoptioninstitute.org

309-438-8503



GOOD WILL FARM ASSOCIATION, INC.

Est. 1899

Residential Treatment • In Home Family Services • Big Brothers Big Sisters Mentoring

February 7, 2007

Rep. Paul Condino State Capitol P.O. Box 30014 Lansing, MI 48909

Dear Representative Condino,

I want to thank you for your efforts through the Second Parent Adoption Bill to help children and youth find loving and supportive homes. Since 1899 the Good Will Farm has found homes for nearly 2,500 children, basically raised another 1,500, and schooled, housed and parented another 1,000 "troubled youth" for an average of one year.

It would seem logical to expect the number of children needing a home to be much less than the days when fatal accidents in the mines were taking fathers away from children at more than a monthly pace. But unfortunately today with the high incidences of alcohol and drug abuse, child abuse and neglect, economic stress, and children having children, the numbers are higher than ever.

I have enclosed a letter from a family whose father was adopted while at the Good Will Farm and recently passed away.

I believe your bill will help encourage more people to adopt and care for our lost children.

Sincerely,

Mark Lambert
Executive Director

Dawn Mead LMSW Child & Family Services, Capital Area

Statement in support of House Bill 4259 of the 2007-2008 Michigan Legislative Session -Second Parent Adoption -

I am in support of House Bill 4259, also referred to as the Second Parent Adoption Bill. I have worked with children for over 30 years (15 of those years with special needs adoption), and have seen what can happen when children do not receive legal protection. I believe that House Bill 4259 directly addresses this problem. The Bill ensures that children will have the financial, legal, and emotional security of TWO parents thereby ensuring that children will continue to be protected in the event of death or separation of one parent.

There is a great need for families to be identified as legal parents. I have assisted numerous families where an unmarried person or grandparent has adopted a child only to have life situations change through death, illness, or other circumstances. The result is the loss of security and stability for a child; children have lost access to health care, have reentered the foster care system, and/or are left to fend for themselves. House Bill 4259 would allow a second adult to be identified as the legal parent thereby protecting the child. Grandparents would be allowed to adopt with another family member; a man or woman who marry into a family where children are already members will legally be responsible and able to care for a child if the birth parent is not able to continue parenting.

Adoption in Michigan is no longer based on personal characteristic such as marital status, race, religion or sexual orientation but on parenting ability and the needs of the child. Children deserve loving homes where they have two legal parents to provide for them.

Michigan is in crisis. We need MORE adoptive parents. Many children, through no fault or their own languish in the care of the State. I sincerely endorse House Bill 4259 because it provides for permanent stable homes for Michigan's children.

National Association of Social Workers

As Executive Director of the National Association of Social Workers-Michigan Chapter, I speak for the association in our consistent support of the welfare of Michigan's children and the support of the Second Parent Adoption Bill, HB 4259, introduced by Representative Condino.

It is our belief that the critical factors in a child's emotional and physical well-being are stability, love, safety and respect. These components are best assured through adoption by two concerned parents based on parenting ability and not marital status. The bill will ensure that both parents are financially responsible for their children in the event of death or separation of the parents.

All to often "good parenting" has been based on moral values or religious beliefs regarding the definition of marital status rather then concrete indicators of parental competency. Recent research has shown that children raised by same sex parents fare as well in all indicators such as grades, social and emotional well-being and responsibility, as those raised by opposite sex parents.

Whether or not individuals are married has not been proven to be an indicator of lasting relationships or an ability to parent. The ability for a second parent to adopt allows for greater security around decision-making, health benefits, emergency medical decisions, shared legal decisions and shared financial responsibility. To deny the ability for a second individual to adopt based on marital status, is to further place children in Michigan at risk.

Children who are not adopted have been shown to fall through the cracks and end up lost in the system, homeless, truant, and/or pregnant. The National Association of Social Workers-Michigan Chapter believes it is time to open doors for adoption in as many ways as possible and provide Michigan's children with the greatest security and safety net possible. It is time to make the best decisions possible for the well being of our children.

Maxine Thome, PhD, LMSW, ACSW, MPH Executive Director

National Association of Social Workers

WILLIAM E. LONG ATTORNEY AT LAW LICENSED MASTER'S SOCIAL WORKER 1000 ARLINGTON DRIVE LANSING, MI 48917 PH: (517) 321-4163 FAX: (517) 321-4163 E-MAIL

Long.w@sbcglobal.net

Statement in support of House Bill 4259 of the 2007-2008 Michigan Legislative Session - Second Parent Adoption -

As a member of the National Association of Social Workers – Michigan Chapter, Vice President for Social Policy, I am pleased to indicate support for House Bill 4259, the so called Second Parent Adoption Bill.

I support HB 4259 because I believe it strengthens Michigan's Adoption Laws to benefit children. I think everyone would agree, and social research supports the fact, that family support, stability and security are important factors in a child's development. By allowing Michigan Courts to recognize two parent adoptions, independent of marriage, we increase the opportunity for more children to have that family support, stability and security so important in a child's life and development.

Michigan Law currently allows one parent adoption. If that parent has a brother, sister, other relative or close friend who has formed a strong relationship with the child and who would clearly provide additional support, stability and security important to that child during the child's development and, continue to do so in the event the single adoptive parent or birth parent became incapacitated or died, I believe it is in the child's best interest to allow that brother, sister, relative, friend to also be recognized legally as the parent of that child.

In addition to being a licensed social worker I am also a licensed attorney in Michigan. I volunteer as a facilitative mediator in family law matters. It is apparent to me that anything we can do to promote family support for children, especially two caring adults who constructively share in the responsibility and rewards that accompany child rearing, the better off our children will be and the better we will be as a society.



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN MICHIGAN WOMEN'S COMMISSION LANSING

JUDY KARANDJEFF EXECUTIVE DIRECTOR

February 12, 2007

The Michigan Women's Commission is proud to support legislation to allow second parent adoptions in Michigan. Second parent adoption ensures permanency and creates legal relationships with two parents, thereby increasing the financial security of the child and preventing costs to the taxpayer. Without second parent adoption, a child is not entitled to the health insurance benefits of the other parent, nor is she entitled to the social security benefits of that parent. If a child loses her only legal parent, she is not entitled to financial support by the other parent without second parent adoption. These problems and others could be easily solved with passage for HB 4250 as introduced by Representative Paul Condino.

National experts including the American Pediatric Association, American Psychological association, Child Welfare League of America, North American Council on Adoptable Children and the American Academy of Family Physicians agree that it is in the child's best interest to have his/her actual parents legally recognized as such. Additionally, the American Bar Association, the National Association of Social Workers, the American Psychiatric Association, the American Psychoanalytic Association, the Child Welfare League of America, the North American Council on Adoptable Children, and the American Academy of Pediatrics are some of the other organizations that support second parent adoption. We are proud to join them in advocating for change.

This legislation would correct an inequity that impacts women as well as girls. We urge the Legislature to pass this needed legislation.



Position Statement on Parenting of Children by Gay, Lesbian, and Bisexual Adults

CWLA's Position on Same-Sex Parenting

The Child Welfare League of America (CWLA) affirms that gay, lesbian, and bisexual parents are as well suited to raise children as their heterosexual counterparts.

Issue

Since 1920, CWLA and its member agencies have worked to ensure that abused, neglected, and other vulnerable children are protected from harm. CWLA strives to advance research-based best practices and sound public policy on behalf of the nine million vulnerable children served by our approximately 900 member agencies. We believe every child and youth has a value to society and we envision a future in which families, neighborhoods, communities, organizations, and governments ensure that all children and youth are provided with the resources and supports they need to grow into healthy, contributing members of society.

Among its member agencies, CWLA also values and encourages approaches to child welfare that are culturally competent and responsive to the specific needs of our society's broad and diverse population. Included in CWLA's definition of cultural competence is the ability to support children, youth, and families who are gay, lesbian, bisexual, or transgender (GLBT), as well as those individuals who may be questioning (Q) their sexual orientation or gender identity.

CWLA has operationalized its support of GLBTQ children, youth, and families by working in partnership with Lambda Legal, the nation's oldest and largest civil rights organization dedicated to supporting GLBT people, as well as people with HIV or AIDS. Together, CWLA and Lambda Legal have created an initiative entitled Fostering Transitions: CWLA/Lambda Joint Initiative to Support GLBTQ Youth and Adults Involved with the Child Welfare System. The goal of the initiative is to increase the child welfare system's capacity to meet the needs of gay, lesbian, bisexual, transgender and questioning (GLBTQ) children, youth, adults, and families. CWLA is pursuing this goal by providing education, technical assistance, resource development and dissemination, programmatic coordination, and advocacy to CWLA member agencies and the greater child welfare field.

The number of children in America currently being raised by gay, lesbian, or bisexual parents is unknown. Resistance to gay and lesbian rights continues to force many gay and lesbian people to remain silent about their sexual orientation and relationships. But several studies indicate the numbers of children with same-sex parents in America are significant. According to the 2000 U.S. Census, there are approximately 600,000 same-sex couples in the United States (Simmons & O'Connell, 2003). More than 30% of these couples have at least one child, and over half of that 30% have two or more children. Therefore, parents of the same sex are raising at least 200,000 children--possibly more than 400,000--in America (these numbers do not include single lesbian or single gay parents). The 2000 U.S. Census also reported that gay and lesbian families live in 99.3% of all U.S. counties (Smith & Gates, 2001). A 1995 National Health and Social Life Survey by E.O. Lauman found that up to nine million children in America have gay or lesbian parents (Committee on Psychosocial Aspects of Child and Family Health, 2002).

Based on more than three decades of social science research and our 85 years of service to millions of families, CWLA believes that families with GLBTQ members deserve the same levels of support afforded other families. Any attempt to preclude or prevent gay, lesbian, and bisexual individuals or couples from parenting, based solely on their sexual orientation, is not in the best interest of children.

CWLA, therefore, affirms that gay, lesbian, and bisexual parents are as well suited to raise children as their heterosexual counterparts.

Existing Social Science Research Supporting Same-Sex Parenting

Existing research comparing gay and lesbian parents to heterosexual parents, and children of gay and lesbian parents to children of heterosexual parents, shows that common negative stereotypes are not supported (Patterson, 1995). Likewise, beliefs that gay and lesbian adults are unfit parents have no empirical foundation (American Psychological Association, 1995).

A growing body of scientific evidence demonstrates that children who grow up with one or two parents who are gay or lesbian fare as well in emotional, cognitive, social, and sexual functioning as do children whose parents are heterosexual. Evidence shows that children's optimal development is influenced more by the nature of the relationships and interactions within the family unit than by its particular structural form (Perrin, 2002).

Studies using diverse samples and methodologies in the last decade have persuasively demonstrated that there are no systematic differences between gay or lesbian and non-gay or lesbian parents in emotional health, parenting skills, and attitudes toward parenting (Stacey & Biblarz, 2001). No studies have found risks to or disadvantages for children growing up in families with one or more gay parents, compared to children growing up with heterosexual parents (Perrin, 2002). Indeed, evidence to date suggests home environments provided by gay and lesbian parents support and enable children's psychosocial growth, just as do those provided by heterosexual parents (Patterson, 1995).

Prevalent heterosexism, sexual prejudice, homophobia, and resulting stigmatization might lead to teasing, bullying, and embarrassment for children about their parent's sexual orientation or their family constellation, restricting their ability to form and maintain friendships. Nevertheless, children seem to cope well with the challenges of understanding and describing their families to peers and teachers (Perrin, 2002). CWLA concludes that problems associated with such family formations do not emanate from within the family unit, but from prejudicial forces on the outside. Children of gay, lesbian, and bisexual parents are better served when society works to eliminate harmful, prejudicial attitudes directed toward them and their families.

CWLA Standards Support Same-Sex Parenting

CWLA's policies and standards are consistent with existing research on outcomes of children raised by gay, lesbian, or bisexual parents. CWLA develops and disseminates the Standards of Excellence for Child Welfare Services as benchmarks for high-quality services that protect children and youth and strengthen families and neighborhoods.

CWLA develops and revises its Standards through a rigorous, inclusive process that challenges child welfare agency representatives and national experts to address both persistent and emerging issues, debate current controversies and concerns, review research findings, and develop a shared vision reflecting the best current theory and practice. The Standards provide goals for the continuing improvement of services for children and families, and compare existing practice with what is considered most desirable for children and their families. The Standards are widely accepted as the foundation for sound U.S. child welfare practice, providing goals for the continuing improvement of services to children and their families.

As they pertain to GLBTQ children, youth, and families, CWLA's Standards of Excellence for Family Foster Care Services do not include requirements for adults present in the home to be legally related by blood,

adoption, or legal marriage. Specifically, section 3.18 of the foster care standards establishes a policy of nondiscrimination in the selection of foster parents, stating: "The family foster care agency should not reject foster parent applicants solely due to their age, income, marital status, race, religious preference, sexual orientation, physical or disabling condition, or location of the foster home" (CWLA, 1995).

CWLA also articulates a strong position on the issue of nondiscrimination of adoptive applicants. Section 4.7 of the Standards of Excellence for Adoption Services states:

All applicants should be assessed on the basis of their abilities to successfully parent a child needing family membership and not on their race, ethnicity or culture, income, age, marital status, religion, appearance, differing lifestyle, or sexual orientation. Applicants should be accepted on the basis of an individual assessment of their capacity to understand and meet the needs of a particular available child at the point of the adoption and in the future (CWLA, 2000).

Thus, based on a preponderance of existing research substantiating the ability of gay, lesbian, and bisexual adults to serve as competent, caring, supportive and loving parents, and consistent with the Standards of Excellence for Child Welfare Services, CWLA commits its experience, its resources, and its influence to supporting GLBTQ children, youth, adults, and families involved in America's child welfare system.

Additional Resources

CWLA Online

- More information about CWLA
- More information about the CWLA/Lambda Legal joint GLBTQ initiative

Empirical Studies on Lesbian and Gay Parenting

- · American Psychological Association, Lesbian and Gay Parenting
- American Psychological Association, Resources on Gay and Lesbian Parenting
- American Academy of Pediatrics, Technical Report: Co-parent or Second Parent Adoption by Same-Sex Parents
- American Civil Liberties Union, Too High A Price: The Case Against Restricting Gay Parenting

Books, Articles, and Chapters on Gay and Lesbian Parenting

- http://www.apa.org/pi/l&bbks.html
- http://www.apa.org/pi/l&gart.html

Legal and Advocacy Organizations:

- Lambda Legal
- American Civil Liberties Union Lesbian and Gay Rights Project
- Family Pride Coalition
- · Parents, Families, and Friends of Lesbians and Gays

Children of Lesbians and Gays Everywhere

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Patterson, C.J. (1995). Sexual orientation and human development: An overview. *Developmental Psychology*, 31(1), 3-11.

Perrin, E.C. (2002). Technical report: Coparent or second-parent adoption by same-sex parents. *Pediatrics*, 109(2), 341-344. Also available online.

Simmons, T., & O'Connell, M. (February 2003). *Married-couple and unmarried-partner households: 2000.*Available online. Washington, DC: U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau.

Smith, D.M., & Gates, G.J. (2001). Gay and lesbian families in the United States: Same-sex unmarried partner households. Available online. Washington, DC: Human Rights Campaign.

Stacey, J., & Biblarz, T.J. (2001). (How) does sexual orientation of parents matter? *American Sociological Review*, 65, 159-183.





Since its establishment in 1996, the Evan B. Donaldson Adoption Institute has been a pre-eminent, independent voice for improving adoption for everyone it touches – particularly children – through innovative programs, educational initiatives, research and analysis, and advocacy for better practices, policies and laws.

Adoption by Lesbians and Gays:

A National Survey of Adoption Agency Policies, Practices, and Attitudes

EXECUTIVE SUMMARY



120 Wall Street, 20th Fl. New York, NY 10005 IVWW.adoptioninstitute.org

ADOPTION BY LESBIANS AND GAYS: NEW STUDY SHOWS MOST AGENCIES NOW ACCEPT HOMOSEXUALS AS PARENTS

Considerable controversy surrounds the issue of parenting by gays and lesbians, and it seems certain to escalate. It is a critical component of the debate over whether homosexuals should be permitted to marry, and it continues to divide policymakers in the United States – as well as in Canada and other countries – as they formulate laws and practices relating to workplace benefits, foster care, adoption, and an array of other important social and personal questions.

Even as these discussions proliferate on the legislative and rhetorical levels, however, reality on the ground is outstripping the pace of the debate. That is, a growing number of lesbians and gay men are becoming parents and are living as families every day, irrespective of what the policymakers do or say.

They are becoming mothers and fathers in many ways, but primarily through insemination, surrogacy and adoption. The latter alternative, which is becoming increasingly popular (though that fact is not generally publicized), provides critical insights into the cultural changes taking place in two major ways: demonstrating that the adoption of children by homosexuals is an ongoing, unabated practice; and showing that Americans' attitudes are evolving – as reflected in the fact that more and more agencies are allowing openly gay and lesbian clients to adopt.

Solid research, to help inform and shape the dialogue, has been lacking. There have been studies, for example, finding that homosexuals' parenting capacity and their children's outcomes are comparable to those of heterosexuals. But little is known about two pivotal aspects of the process: What are adoption agency policies and practices toward prospective adoptive parents who are gay or lesbian? And to what extent are agencies placing children with homosexuals?

In an attempt to address these issues and to promote a more informed dialogue on this topic, the Evan B. Donaldson Adoption Institute – funded by a generous grant from the Rainbow Endowment – conducted a systematic, nationwide analysis of whether agencies work with lesbian and gay prospective adoptive parents, the extent to which agencies place children with them, and agency staff attitudes regarding adoption by homosexuals.

The most sweeping conclusion that comes out of the research is simply that adoption agencies are increasingly willing to place children with gay and lesbian adults and, consequently, a steadily escalating number of homosexuals are becoming adoptive parents.







Among the study's principal specific findings are:

- Lesbians and gays are adopting regularly, in notable and growing numbers, at both public and private agencies nationwide.
- Assuming those responding are representative (and the results show they are), 60% of adoption agencies accept applications from homosexuals.
- About 2 in 5 of all agencies in the country have placed children with adoptive parents whom they know to be gay or lesbian.
- Most likely to place children with homosexuals are public, secular private, Jewish- and Lutheran-affiliated agencies, and those focusing on special needs and international adoption.

In addition to the specific findings, the study's results lead to several major conclusions on the levels of policy and practice:

- For lesbians and gay men, the opportunities for becoming adoptive mothers and fathers is significantly greater than is generally portrayed in the media or perceived by the public.
- Though a large and growing number of agencies work with or are willing to work with homosexual clients, they often are unsure about whether or how to reach out to them.
- Because so many homosexuals are becoming adoptive parents, it is important for the sake of their children that agencies develop pre-placement and post-placement services.

Surveys requesting information about agency policies and practices in 1999-2000 were mailed to adoption program directors at all 51 public agencies in the United States, plus 844 private agencies (over half of all those listed in the National Adoption Information Clearinghouse database, randomly chosen within each state). Of those, 307 adoption agencies responded – 277 private and 30 public – representing a statistically strong 41% response rate (eliminating surveys returned as undeliverable, and from agencies not making adoption placements). The margin of error is plus or minus 5%. As a whole, about one-third of the agencies focused primarily on domestic infant/toddler adoptions and one-third on special needs adoptions. International adoptions were provided by approximately one-fifth of the agencies and one-tenth had mixed adoption programs. About half of the private agencies (177) did not have a religious affiliation, while the rest represented a variety of faiths.

In general, the study's results confirm that adoptions by lesbians and gays are occurring regularly and in notable numbers, both at public and private agencies. The research also reveals that the acceptance of applications from homosexual clients, as well as the placement of children with lesbians and gays, is associated with both program type (special needs, private domestic infant, international) and religious affiliation or non-affiliation.

A clear majority of all responding agencies (60%) said they accepted applications from self-identified lesbians and gays in 1999-2000. Acceptance of such applications was associated with the agency's type of placement program, with special needs agencies much more likely to accept applications from homosexuals than all other agency types. The vast majority of special needs programs (85.3%) and







about two-thirds of international (68.2%) and mixed programs (65.7%) accepted applications from lesbians and gays, while almost half of domestic infant/toddler programs (48%) accepted such applications.

There was also a significant difference in the acceptance of adoption applications from homosexuals as a function of the agency's religious affiliation. Jewish-affiliated agencies were universally willing to work with gay and lesbian clients, as were the vast majority of public agencies (90%), private agencies with no religious affiliation (80.2%), and most Lutheran agencies (66.7%). The rest of the agencies were much less willing to accept applications from homosexuals, although a sizable minority of Methodist and Catholic agencies did. About 20% of all agencies said that, on one or more occasions, they had rejected applications from homosexual prospective adoptive parents.

Almost two-thirds of responding agencies had official policies on adoption by gays and lesbians; of those, 33.6% reported a non-discrimination policy. About one-fifth responded that placement decisions were guided by the children's country of origin, and another fifth said that religious beliefs were the basis for rejecting applications from homosexuals. Significantly, of the agencies choosing not to participate in the survey, more than one-third reported in follow-up phone calls that they did not work with homosexual prospective adoptive parents.

About 2 in 5 (39%) of all agencies had placed at least one child with a homosexual adoptive parent in 1999-2000. Because many of these agencies did not keep such statistics – fewer than half (43%) collected information on prospective adoptive parents' sexual orientation – and since it was impossible to estimate the number of such placements they made, only one adoption placement with a homosexual client per year was counted for statistical purposes. Based on this conservative approach, respondents made a total of 1,206 such placements, or 1.3% of their total placements, though it's apparent that the true number must be appreciably higher.

As with the acceptance of applications, adoptive placements of children with lesbians and gays varied as a function of program type and religious affiliation. The majority of special needs (61.5%) and international agencies (51.5%) made placements with homosexual clients. In contrast, fewer than half of the agencies with mixed adoption programs (45.7%) and only a quarter of agencies focusing on domestic infant adoptions (25.5%) made such placements. Public agencies (83.3%), Jewish-affiliated agencies (73.7%), private, secular agencies (55.9%) and Lutheran agencies (53.3%) were significantly more likely to make an adoption placement with a homosexual client than all other types of agencies.

As for informing potential birth parents when making an adoptive placement with lesbian or gay individuals, almost half of the respondents (47%) provided that information as a matter of policy or routine practice. A larger percentage (76.9%) of domestic infant agencies, than special needs and international programs, provided the information to prospective birth parents because the latter agencies have little contact with the child's biological parents during the adoption planning process.







On related issues, the Adoption Institute research found:

- About one-quarter of respondents said prospective birth parents have objected to placing their
 child with gays or lesbians, or have specifically requested their child not be placed with
 homosexuals. At the same time, nearly 15% of all agencies said birth parents had requested or
 chosen lesbian or gay prospective adoptive parents for their child on at least one occasion.
- Though most agencies worked with lesbians and gays, only 19% sought them to be adoptive parents and the vast majority of these (86.6%) relied on word of mouth for recruitment. Outreach efforts were made most often at agencies already willing to work with homosexuals (41.7% of Jewish affiliated, 29.9% of private, non-religiously affiliated, and 20% of public).
- Similarly, adoption agencies focused on children with special needs were the most likely to make outreach efforts (32.1%) to gays and lesbians, followed by international focused agencies (19.7%).
- Nearly half (48%) indicated an interest in receiving training to work with lesbian and gay prospective parents. Most likely to be interested were agencies already working with them: public, non-religiously affiliated, Jewish and Lutheran. Additionally, special needs programs and those with mixed programs were more likely to be interested in training than were those focusing on international and domestic infant adoptions.

Adoption directors' personal attitudes also were associated with the agency's religious affiliations and program types. Directors of agencies focusing on domestic infant adoption were significantly less likely to be accepting of homosexual adoption compared to respondents from other agencies. They also were more likely to believe homosexual clients need greater evaluation, preparation, and/or support when adopting than were adoption directors at agencies focused on special needs or international placements. Respondents from public and non-religiously affiliated private agencies, as well as Jewish agencies, were more accepting of gay and lesbian adoption and less likely to believe that homosexuals needed more intensive evaluation, preparation, and support when adopting a child.

Directors who scored higher on the "acceptance of homosexual adoption" variable, and lower on the "need for greater evaluation and support" variable, worked in agencies that more often accepted adoption applications from lesbians and gays, were more likely to have made a placement with this group, were more likely to have recruited gays and lesbians as prospective applicants, and expressed more desire for training in relation to homosexual adoption.

Conclusion:

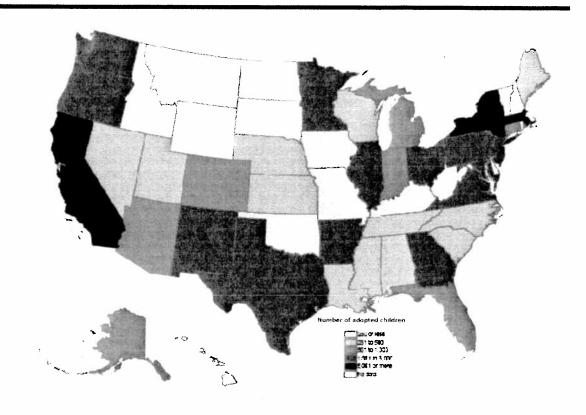
The study's findings offer insights into a controversial arena of adoption, as well as into an important issue in the gay and lesbian community. For society, the bottom line is clear: Homosexuals are becoming parents in growing numbers, and adoption agencies are fueling the trend. For homosexuals wishing to become parents, the results paint a more encouraging picture than is often portrayed or perceived by many (if not most) Americans. Although stereotypes and misconceptions still perpetuate policy and practice, from a child-centered perspective, the willingness of adoption agencies to accept gay and lesbian adults as parents means more and more waiting children are moving into permanent, loving families.







Adoption and Foster Care by Gay and Lesbian Parents in the United States



Gary J. Gates M.V. Lee Badgett The Williams Institute UCLA School of Law



Jennifer Ehrle Macomber Kate Chambers

The Urban Institute Washington, DC



March 2007

Executive Summary

Discussion and debate about adoption and foster care by gay, lesbian, and bisexual (GLB) parents occurs frequently among child welfare policymakers, social service agencies, and social workers. They all need better information about GLB adoptive and foster parents and their children as they make individual and policy-level decisions about placement of children with GLB parents. This report provides new information on GLB adoption and foster care from the U.S. Census 2000, the National Survey of Family Growth (2002), and the Adoption and Foster Care Analysis and Reporting System (2004).

Currently half a million children live in foster care in the United States and more than 100,000 foster children await adoption. States must recruit parents who are interested and able to foster and adopt children. Three states currently restrict GLB individuals or couples from adopting. Several states have or are considering policies that would restrict GLB people from fostering.

Recent government surveys demonstrate that many lesbians and gay men are already raising children, and many more GLB people would like to have children at some point. We estimate that two million GLB people have considered adoption. Since prior research shows that less than one-fifth of adoption agencies attempt to recruit adoptive parents from the GLB community, our findings suggest that GLB people are an underutilized pool of potential adoptive parents.

The report provides estimates of the number of adopted and fostered children of lesbians and gay men and describes the demographic characteristics of parents and children. We compare gay and lesbian parents and their adopted and fostered children to parents and children in other family arrangements, including married and unmarried different-sex couples and single parents (who might be heterosexual or GLB). While GLB parents are similar in many ways to other kinds of parents, we identify several differences in the key findings below.

The report concludes with an assessment of how proposed bans on allowing GLB individuals and couples to foster might affect foster care systems and fostered children. We estimate the possible financial cost to states if they were to limit or deny GLB people the ability to foster, which could displace 9,000 to 14,000 children if pursued nationally. And while we cannot measure costs to children directly, we explore prior research suggesting that displacing children from their current foster homes may have harmful effects on the children's development and well-being. The report closes with implications of this research for policymakers.

Key Findings

- More than one in three lesbians have given birth and one in six gay men have fathered or adopted a child.
- More than half of gay men and 41 percent of lesbians want to have a child.
- An estimated two million GLB people are interested in adopting.
- An estimated 65,500 adopted children are living with a lesbian or gay parent.
- More than 16,000 adopted children are living with lesbian and gay parents in California, the highest number among the states.
- Gay and lesbian parents are raising four percent of all adopted children in the United States.

- Same-sex couples raising adopted children are older, more educated, and have more economic resources than other adoptive parents.
- Adopted children with same-sex parents are younger and more likely to be foreign born.
- An estimated 14,100 foster children are living with lesbian or gay parents.
- Gay and lesbian parents are raising three percent of foster children in the United States.
- A national ban on GLB foster care could cost from \$87 to \$130 million.
- Costs to individual states could range from \$100,000 to \$27 million.

Professional Organizations Supporting Co-parent Adoption

Michigan Organizations

- American Academy of Pediatrics Michigan Chapter (June 2006)
- Michigan Association of Infant Mental Health (Fall 2006)
- Spaulding for Children (Feb 2007)
- Good Will Farm Association, Inc. Serving Youth and Families (Jan 2007)
- Jewish Family Services (January 2007)
- Child and Family Services, Capital Area (2006)
- Michigan Conference National Organization of Women (March 2006)
- NASW-MI chapter (October 2003)
- Michigan Women's Commission (March 2006)
- State Bar of Michigan Family Law Section (Dec 2005)
- Michigan Federation of Business and Professional Women (March 2006)
- Coalition of Labor Union Women, Metro Detroit Chapter (April 2007)
- Washtenaw Area Council for Children (March 2004)
- Adoption Options Worldwide, Inc. (April 2004)
- Episcopal Diocese of Eastern Michigan, Bishop Leidel (Sept 2005)
- Episcopal Diocese of Michigan (Oct 2005)
- Jewish Council of Women (Sept 2005)
- Michigan Psychiatric Society (Nov 2005)
- Detroit Free Press Editorial Board (March 2005)
- JS Psychological Services, Judith Snow Ph.D Grand Rapids, MI (Sept 2005)
- Liberty Pediatrics, Ann Arbor, MI (Sept 2005)
- American Camp Association, Michigan (Sept 2005)
- Jackson City Human Relations Commission (Oct 2005)
- PFLAG Detroit/Downriver, PFLAG Jackson, PFLAG St. Joseph (Oct 2005)

National Organizations

- American Academy of Family Physicians (2002)
- American Academy of Pediatrics (2002)
- American Anthropological Association (2004)
- American Bar Association (1995, 1999 and 2003)
- American Medical Association (2004)
- American Psychiatric Association (1997, 2000 and 2002)
- American Psychoanalytic Association (1997 and 2002)
- American Psychological Association (1976 and 1998)
- Child Welfare League of America (1988)
- National Association of Social Workers (2002)
- North American Council on Adoptable Children (1998)

National Policy Statements supporting adoption by same-sex couples

American Academy of Pediatrics (2002)

The American Academy of Pediatrics issued the following statement in support of gay and lesbian parenting and called for equal access to co-parenting and second-parent adoption rights for gay and lesbian parents in February 2002:

"Children deserve to know that their relationships with both of their parents are stable and legally recognized. This applies to all children, whether their parents are of the same or opposite sex. The American Academy of Pediatrics recognizes that a considerable body of professional literature provides evidence that children with parents who are homosexual can have the same advantages and the same expectations for health, adjustment, and development as

can children whose parents are heterosexual.1-9 When 2 adults participate in parenting a child, they and the child deserve the serenity that comes with legal recognition.

From: American Academy of Pediatrics Committee on Psychosocial Aspects of Child and Family Health, "Coparent or Second-Parent Adoption by Same-Sex Parents," as published in Pediatrics, Vol. 109 No. 2, February 2002, pp 339-340.

American Academy of Family Physicians (2002)

The American Academy of Family Physicians adopted the following position statement at its October 2002 meeting:

"RESOLVED, That the AAFP establish policy and be supportive of legislation which promotes a safe and nurturing environment, including psychological and legal security, for all children, including those of adoptive parents, regardless of the parents' sexual orientation."

American Bar Association (2003, 1999 and 1995)

"RESOLVED, That the American Bar Association supports state and territorial laws and court decisions that permit the establishment of legal parent-child relationships through joint adoptions and second-parent adoptions by unmarried persons who are functioning as a child's parents when such adoptions are in the best interests of the child."

The American Bar Association adopted the following position statement in Feb. 1999:

"RESOLVED, that the American Bar Association supports the enactment of laws and implementation of public policy that provide that sexual orientation shall not be a bar to adoption when the adoption is determined to be in the best interest of the child."

American Psychiatric Association (2002/1997/2000)

The American Psychiatric Association supports initiatives that allow same-sex couples to adopt and co-parent children and supports all the associated legal rights, benefits, and responsibilities which arise from such initiatives.

American Psychoanalytic Association (1997 and 2002)

The American Psychoanalytic Association supports the position that the salient consideration in decisions about parenting, including conception, child rearing, adoption, visitation and custody is the best interest of the child. Accumulated evidence suggests the best interest of the child requires attachment to committed, nurturing and competent parents. Evaluation of an individual or couple for these parental qualities should be determined without prejudice regarding sexual orientation. Gay and lesbian individuals and couples are capable of meeting the best interest of the child and should be afforded the same rights and should accept the same responsibilities as heterosexual parents. With the adoption of this position statement, we support research studies that further our understanding of the impact of both traditional and gay/lesbian parenting on a child's development."

American Psychological Association (1976 and 1998)

"The sex, gender identity or sexual orientation of natural or prospective adoptive or foster parents should not be the sole or primary variable considered in custody or placement cases."

Reference: Conger, J.J. (1977). Proceedings of the American Psychological Association, Incorporated, for the year discussion in this area and assist state psychological associations and divisions in offering such information as needed

Child Welfare League of America (1988)

The Child Welfare League of America's Standards of Excellence for Adoption Services states:

"Applicants should be assessed on the basis of their abilities to successfully parent a child needing family membership and not on their race, ethnicity or culture, income, age, marital status, religion, appearance, differing lifestyles, or sexual orientation." Further, applicants for adoption should be accepted "on the basis of an individual assessment of their capacity to understand and meet the needs of a particular available child at the point of adoption and in the future."

National Association of Social Workers (2002) – National chapter

"Legislation legitimizing second-parent adoptions in same-sex households should be supported. Legislation seeking to restrict foster care and adoption by gay, lesbian, bisexual or transgender people should be vigorously opposed."

North American Council on Adoptable Children (1998)

"Children should not be denied a permanent family because of the sexual orientation of potential parents. Everyone with the potential to successfully parent a child in foster care or adoption is entitled to fair and equal consideration."

Judith E. Snow, M.A., L.L.P. 3501 Lake Eastbrook Blvd., Suite 146 Grand Rapids, MI 49546 616-954-9850 JSPsychological@aol.com

April 26, 2007

Representative Paul Condino Representative Paul Condino, House Judiciary Committee Chair N0799 HOB P.O. Box 30014 Lansing, MI 48909-7514

Ms. Beverly Davidson, President *CARE, INC*.
P. O. Box 2784
Ann Arbor, MI 48106-2784

Re: House Bill 4259 Second Parent Adoption

Dear Representative Condino:

I am a psychologist (LLP) in private practice in Grand Rapids, Michigan. For the past twelve years I have treated numerous children in foster care. I have also worked with children with same-sex parents. The latter was the impetus for my book, <u>How it Feels to Have a Gay or Lesbian Parent</u>, *A Book by Kids for Kids of All ages* (Haworth Press, 2004).

Through my work with foster children, the need for permanence became abundantly clear. Adoption is typically the wish of every child when the birth parent(s) can no longer parent them. After attending to treatment issues with these children, therapy becomes a matter of providing support and encouragement, but support and encouragement becomes meaningless to children when their situation remains unchanged. The best thing that could happen for these children is to be adopted by two loving parents, whether those parents are of different or the same-sex. The opposition to same-sex parenting is troubling. Altogether, scientific research shows that are no significant differences between children raised by heterosexual and same-sex parents. In my work with children with same-sex parents (and their parents), I am consistently impressed with the quality of care the children receive.

Children need a sense of belonging and to feel secure. Second-parent adoption would secure the emotional and financial benefits that other children currently receive. It is a matter of justice.

Should you have any questions or desire further information, I am at your disposal.

Sincerely yours,

Judith E. Snow, M.A., L.L.P., CAC, DCFC

Limited Licensed Psychologist Certified Addictions Counselor

Diplomate of Clinical Forensic Counseling

jes

Second Parent Adoption: A Measure to Protect Michigan's Children

Briefing Booklet

Why Michigan Families Need a Second Parent Adoption Law

A Publication of Coalition for Adoption Rights Equality, Inc.

March 28, 2007

C RE Coalition for Adoption Rights Equality, Inc.

Coalition for Adoption Rights Equality, Inc. (CARE)
PO Box 2784
Ann Arbor, MI 48106-2784

care@SecondParentAdoption.org

Introduction

Children need the legal recognition of parent-child relationships. This recognition guarantees the children a host of legal and financial benefits, such as health insurance, authorization for medical care, and continuity of a parent-child relationship in the event of separation or death.

In Michigan some children have one parent who is not legally recognized. These children are denied important benefits because that parent is not recognized. Please review this booklet and the testimonies of real Michigan families to learn more about the difficulties facing many families in our state.

Under current adoption law in Michigan, parental rights are restricted to either married couples or single individuals. This policy makes obtaining a joint legal partnership nearly impossible for two unmarried individuals wishing to raise a child together. When two unmarried parents have adopted, current adoption code policy also imposes a dangerous intermediate step. A child's legal parent must sign away his or her rights and place the child *in state custody* before both parents will be awarded joint custody. This puts family is a *very* precarious situation.

Opponents of second parent adoption argue for the preservation of traditional families. According to the 2000 Census, however, over 50% of Michigan's families are not "traditional"—that is, they are not comprised of a child and his or her biological mother and father. That means that second parent adoption could potentially help children in over half of Michigan's families. Michigan's families will *always* come in diverse configurations, and the time has come for us to act on behalf of the children who are punished by the failure of current law. This is a bill about children; this is a bill *for* children. All children deserve equal opportunity to succeed, and Second Parent Adoption pushes us closer to that goal.

Michigan's Second Parent Adoption House Bill 4259 guarantees children with unmarried parents a variety of legal and financial benefits that most families take for granted.

With second parent adoption, both parents would be able to offer children:

- •Full health insurance benefits
- •Full pension or social security benefits
- •Medical authorization for routine or emergency care
- Permission to attend school functions

Furthermore, children would benefit from:

- •Permanence of extended familial relationships
- •Assurance of the continuity of parent-child relationships in the event of separation or death.

We have the opportunity to improve child-welfare, statewide. This is the compassionate and practical thing to do.

The Cost of Inaction

The Financial Cost

The number of children needing permanent homes is increasing, and the number of available homes is decreasing, costing the state millions of dollars. In January 2006, Michigan's monthly bill for the then 16,000 plus children in foster care was 9.461 million dollars. This cost the state roughly \$5,000 to \$6,000 per child that year alone. If every one of those children had a permanent home, the state would have saved at least \$99,615,000 in foster care expense alone. Most recently, in February 2007, the Department of Human Services reported approximately 17,000 children were in out-of-home care, with 7,000 of those children available for adoption.

A recent report released by the Williams Institute at the UCLA School of Law and the Urban Institute, "Adoption and foster Care by Gay and Lesbian Parents in the United States," indicated that gay and lesbian parents are underutilized and not recruited for foster or adoptive parenting. It also reports that a national ban on gay and lesbian parents becoming foster or adoptive parents could cost between \$87 and 130 million dollars. A ban in Michigan could cost between \$3.7 and 5.6 million dollars.

Not only is their financial cost, but extreme psychological and emotional costs to children who never have a permanent family. For example, in Michigan nearly 80 percent of those who enter foster care at age 12 or older will leave the system without returning to their original homes and without being adopted. Research shows these kids have high rates of homelessness, poverty, substance abuse, and early pregnancy. More than half of the people in Michigan's penal system were once touched by the foster care system.



Second parent adoption could also save the state of Michigan a considerable amount of money on assistance programs such as Medicaid. Children are only permitted to access the health insurance of a legal parent. As you will see in ensuing testimonies, this creates an unnecessary problem when the only parent with the ability to offer

decent health coverage happens to be unrecognized by the state. Second parent adoption will reduce families' dependence on state assistance by allowing children to access the health benefits of *both* parents.

Family Diversity: Myths and Facts

MYTH: Second parent adoption would only benefit same-sex couples.

FACT: Second parent adoption will benefit any child in which there are two unmarried adults working together to raise children, or, any family in which there is a single guardian who wishes to have help from another trusted adult. It further expands the pool of foster and adoptive parents for the thousands of children in Michigan needing permanent homes.

The 2000 Census recorded 202,220 unmarried partner households in Michigan. 186,852 of these households which were comprised of opposite-sex partners, and 45.3% of them were raising children together. These numbers indicate that in 2000, nearly 85,000 co-habitating heterosexual couples were jointly raising children without the legal recognition of both parents. These estimates don't even include parental partners who were not living under the same roof.

Meanwhile, same-sex partners comprised only 7.6% of unmarried partner households in 2000. Since on average, only 20% of same-sex couple households include children¹, one can estimate that roughly 3,000 same-sex partners were raising children in Michigan in 2000, comprising only 3.5% of households in need of second parent adoption.) Clearly, this bill will protect *all* of Michigan's children.

Further in January 2006, Michigan's monthly bill for the 16,000 plus children in foster care and/or institutional care was 9.461 million dollars (Department of Human Services, 2006). In January 2006, Michigan's monthly bill caring for the 4,000 plus children who are waiting to be adopted was 7.215 million dollars. Allowing two unmarried parents to adopt jointly would expand the number of permanent homes available, decreasing the cost to the state and the number of children waiting to be adopted (Department of Human Services, 2006).

In Michigan nearly 80 percent of those who enter foster care at age 12 or older will leave the system without returning to their original homes and without being adopted (U.S. Children's Bureau, 2005). Research shows these kids have high rates of homelessness, poverty, substance abuse and early pregnancy. Adoption saves taxpayers money. Barth et al released a study showing that governments save \$35,800 per child for every 100 foster care cases closed for adoption over the first eight years, compared to the expense of keeping those kids in foster care (Barth, Lee, Wildfire, & Guo (2005).

¹ http://www.azcentral.com/families/articles/0411gayparent11-CR.html

Second parent adoption would benefit the children being raised by:

- A grandmother, alone. Her nephew is a big part of the children's lives, and he wishes he could "sign on" as a second parent so that they would have access to his health insurance.
- Two life-long adult friends who have both been widowed and have decided to combine their families and pool their resources.
- Two unmarried heterosexual parents who have decided not to get married, because the divorce rate scares them. They think that their commitment is actually strengthened by defining their relationship outside of traditional marriage. They have been together for 12 years and have been raising children together for 8 of those years.
- An adult female couple who have been together for 5 years. One of the women has a child from a previous relationship. The "father" of the child has disappeared. In reality, the child has two female parents, but the state only recognizes one.
- A single mother who is sick with cancer. To prepare for the worst case scenario, she would like to have another trusted adult sign-on as a second parent. But she does not want to relinquish her parental rights to do it.

Family Diversity: Myths and Facts

MYTH: There are other ways for people to have back-up guardians on hand in the case of death. These parents can just file power of attorney or guardianship papers to prepare for extreme circumstances.

FACT: While these options are available, they do not have the legal power that is inherent in adoption. All of these other legal strategies carry some risk of uncertainty. For instance, guardianships cannot provide a child life insurance or social security benefits for a child in the event of a guardian's death. Guardianships are also much easier to end legally, thereby creating legal uncertainty for the child. Adoption is the only **permanent** solution to ensure an adult's legal and financial responsibility for a child.



MYTH: Okay, so many different types of families would benefit from second parent adoption. Still, research suggests that non-heterosexual people do not make good parents.

FACT: Actually, there is no credible evidence to suggest that children raised by non-heterosexual people fare any worse than children raised by heterosexual people. In fact, credible research suggests that children with non-heterosexual parents fare just as well than children with heterosexual parents.

Only a few researchers have claimed to find strong evidence against non-heterosexual parents, and these researchers have been discredited by their professional organizations for unethical practice and reporting. These researchers are often known for abusive clinical practice and inaccurate reporting of research findings.

In contrast, many respected professional associations support second parent adoption for all unmarried couples, including but not limited to:

American Academy of Family Physicians
American Academy of Pediatrics
American Bar Association
American Medical Association
American Psychiatric Association
American Psychological Association
American Psychoanalytic Association
National Association of Social Workers
Child Welfare League of America
North American Council on Adoptable Children

Family Diversity: Myths and Facts

MYTH: If Michigan supports second parent adoption, we will risk being too radical. What if this is a social experiment that goes wrong?

FACT: This is no social experiment. Children have always been raised in a variety of different family configurations. Furthermore, there is plenty of political and legal support for second parent adoption. No matter whom a child's parents are, every child has the right to health insurance, life insurance, and the legal protections provided by their parents.

States that expressly permit second parent adoptions by any unmarried couple:

California Connecticut Illinois Massachusetts New Jersey New York Pennsylvania Vermont

Second parent adoptions have also been granted to same-sex couples in certain counties within:

Alabama Alaska

Maryland Michigan

Ohio Oregon

Delaware

Minnesota

Rhode Island

Hawaii Indiana

Nevada

Texas

lowa

New Hampshire

Washington

New Mexico

States that currently have legislation pending to expressly permit second parent adoptions by any unmarried couple:

Colorado

Michigan

Nebraska

New Hampshire



Family Diversity: Myths and Facts

MYTH: I understand that there are many different types of well-intentioned parents, but children fare best when raised in a two-parent household, with a mother and a father.

FACT: Even if this were the case, many children are being raised in homes without a mother and a father. Second parent adoption legally binds two trusted adults to a child's life, adding both financial and emotional security. Supporting second parent adoption adds this security to a child's life, while not supporting second parent adoption preserves the status quo of insecurity for thousands of Michigan's children.

There are many so-called "single parent" families in which a child actually has two parents, but the law only recognizes one of them. Second parent adoption would quickly re-classify these families as "two-parent" families.

In addition, the challenges faced by children in single-parent households could be remedied by second parent adoption, which would bind a trusted adult to a child. Second parent adoption, by definition, ensures that a child will have the emotional and financial support of two parents.

Finally, the vast majority of reputable studies have determined that parental gender is unimportant to the developmental well-being of children. As summarized by the American Academy of Pediatrics (2002), child well-bring is actually enhanced when the law recognizes all parents equally:

"The American Academy of Pediatrics recognizes that a considerable body of professional literature provides evidence that children with parents who are homosexual can have the same advantages and the same expectations for health, adjustment, and development as can children whose parents are heterosexual. When 2 adults participate in parenting a child, they and the child deserve the serenity that comes with legal recognition."



Family Diversity: Myths and Facts

MYTH: We can't just let any adult "sign-on" to a child's life. This would make adoption too easy for adults who, perhaps, aren't fit parents.

FACT: Second parent adoption changes nothing about the adoption process itself. Any adult wishing to become a second parent, or eligible foster parent, would have to go through the normal channels of screening.

Second parent adoption merely opens the door for "fit" parents to finally become legally bound to their children. These parents would still have to go through background checks, home visits, and meetings with judges in order to gain legal status. Second parent adoption merely offers a child the legal recognition of the parents who are already active in his or her life. It further allows two unmarried parents to jointly adopt a child from foster care. Again, these parents will still be bound by home studies and a judge's decision to approve the placement.

MYTH: Michigan passed a constitutional ban on same-sex marriage. How then can second parent adoption be permitted under this?

FACT: Second parent adoption creates a legal relationship between a parent and a child only. Because of this marriage amendment, unmarried couples are more limited in providing the necessary protections for their children, so second parent adoption is needed more now than ever to protect all of Michigan's children.

Moby's Story- Oakland County, MI

We are an adoptive family with two moms and three kids. Our oldest daughter, Melanie, now age 24, joined our family at the age of 17 when the courts appointed one of us as guardian. Our next oldest daughter, Ani, age 3, came home from Guatemala as a baby. Our youngest, Moby, age 18 months, was united with us while still in NICU (neonatal intensive care unit) in Chicago. Prior to Moby's adoption, we were both working moms. Before she was born, we planned to take 3 months off when the new baby came home and then return to being a two-income family.

But Moby had other plans! She was born prematurely at 29 weeks gestation in a traumatic birth in which she experienced oxygen deprivation and brain damage. We knew that with her vulnerability as a preemie and her prognosis of significant challenges and delays, Moby was not a candidate for day care. She needed a mom at home.

While we knew this would mean a great change in our financial situation, we were prepared for that sacrifice. What we were not prepared for was, as we faced great uncertainty and anxiety about our daughter's health and future medically and



cognitively, to also confront a health insurance crisis. While second parent adoptions are possible in Illinois, the state through which we adopted Moby, because we adopted Ani (our second-oldest) in Michigan, she was only entitled to one legal parent. So Marlowe was Ani's legal parent, but Eli's salary was better equipped to sustain the family as a sole income. Yet, without second parent adoption, Ani was not guaranteed insurance benefits from Eli's employer. How could we meet the medical needs of both of our children?

Fortunately, Eli's employer—himself a married father—includes our family within his definition of family. He, president of a successful company of more than 500 employees, chose to extend health care benefits for Ani as Eli's daughter. Now, 18 months later, Moby's progress truly amazes her physical, occupational and speech therapists, her pediatrician and her pediatric neurologist.

There is no question that without the opportunity for the one-on-one care of her stay-at-home mom and access to so much early intervention (public as well as private via insurance), she would not be demonstrating this miraculous progress! No family should face a health care crisis as they welcome a special needs child into their family, whether by birth or by adoption, just because that child has two moms or two dads. Please help protect our children with the passage of the second parent adoption bill.

Marlowe and Eli B'Sheart - Oakland County, MI

Baby Logan's Story-Birmingham, MI

Our story begins just like many others. Love at first sight, then a beautiful ceremony to publicly announce that love, followed by the pitter-pat of little feet. Our daughter, Logan, who is now 17 months old, is learning about the world around her each and every day. Her reality is much the same as many other little girls her age who have the love of two people that are at the center of her world. She knows

with utmost certainty that she can count on us, her Muma and Mommy, who love her, read to her, play with her, take her to Gymboree and swim class every week, comfort her when she's upset, give her hugs and kisses throughout the day and sing to her every night before she goes to sleep. We are her parents, and no matter what else comes her way in life, that will be the one thing she can count on. But the one thing she'll learn later on is that we had to go through a lot in order to give her that protection.



When Tina and I decided to have children using In Vitro fertilization, because it would allow us to bring her into the world together. We were thrilled and began to plan for how our life together would now include a 'little one' to share it with. But that celebration was quickly interrupted by 'what makes a family' in the State of Michigan, and how that pertained to 'us.'

As most parents preparing for their new arrivals focus on picking out patterns and themes for the baby room, stocking up on baby supplies, looking into pediatricians and the latest development toys on the market, we were hiring a lawyer, drawing up living wills, guardianship papers and medical treatment papers for a minor, on top of the 'normal' baby preparation tasks. Thousands of dollars and stacks of paperwork later, we had the security of knowing that our child would be 'safe' if anything were to happen to her birth mother, Tina, even though she was biologically mine.

We are now expecting our second daughter, who will arrive in early April. Again, we are taking the necessary steps to ensure her protection, on top of preparing for her arrival. Logan is very excited to meet her little sister, to share her Muma and Mommy with her and to teach her everything she knows.

We hope that one day soon, we will no longer have to carry around our documents at all times—which take up quite a bit of space in our purses—or worry about whether a court will uphold their worth if something were to ever happen to Tina. Although we've gone to these measures to give our children a sense of protection, we cannot say with certainty that a judge would honor our wishes.

To legally adopt my children would offer so much security to our family, and a sense of self-worth to our girls. We want so much for our children, but to have a birth certificate that states that we are both legally their parents would be one of the greatest gifts we could ever offer them, as it ensures their protection and gives them a sense of belonging, as a family, in the eyes of the state they call home.

Amy and Tina Weber - Birmingham, MI

Emily's story*- Location and picture not available

I am submitting my testimony in the hopes of helping other parents. No one should have to live with the uncertainty that I and my daughter live with now.

I was in a 3 year relationship with someone I knew for over 12 years. We decided together that we wanted to have children. My partner gave birth to a beautiful little girl. I was involved from conception to birth, including the choice of donor. I was the first person to hold her when she was born and the doctor shook my hand congratulating me. I have never been so happy in my entire life. I supported the family for the first six months so that my partner could stay at home and take care of my daughter. During the six months, I also maintained the home, cooked all meals and took care of my daughter when I came home from work because my partner was so exhausted. I was involved in every aspect of my child's development.

Our agreement included my being able to adopt my daughter. We went through the whole process, including the home study. However, on the day I sent in the paperwork, my partner suddenly changed her mind. Under current policy, when a child gets a non-biological adoptive parent, both parents must first sign away custody to the state. My partner did not trust the courts; she feared they may take our daughter away from both of us.

My partner and I split up when my daughter was 1 ½ years old. When she was stressed out with the baby's crying, she would shove our daughter into my arms. When she was mad at me, she would rant and rave, slam doors, throw things, etc. I couldn't do anything about my partner's behavior, but I couldn't allow my daughter to grow up in this kind of environment.

I found out the hard way that I do not have the ability to protect my daughter or our relationship. I am lucky enough to see her every other weekend. I say lucky because there has never been a case in the State of Michigan where the non-biological parent has even been allowed visitation. I am at my ex's will. She uses my daughter to get to me and has threatened to take her away if I don't do as she wants. She has refused to give me the piece of mind of guardianship and has the power to take my daughter away at any time. There is absolutely no security for our relationship. I am my daughter's source of emotional consistency and have been involved with every step of her development. Still, I have no rights to have any input in the decisions regarding my daughter.

Without the security of second parent adoption, our children are not protected. No family should have to live with the fear I live with every day.

*Name has been changed to protect the child's identity.

A tribute to my sister - Beth's story

My sister and her partner have co-adopted two daughters in the past three years. We can't imagine life without those two little girls. My sister Anne is the birth mother of the girls; they call her "Mom." Her partner Pam is "Mummy." Pam is the primary wage earner for the family, and provides a very good lifestyle for them as a physician. However, she would have no rights to the children without being able to co-adopt. She is just as much a parent to those kids as their birth mother is, but would have no legal ties to them with being able to adopt them together with her partner.

It seems that every time I turn around there are more groups attacking gay and lesbian families. Churches, political groups, employers, insurance companies, state governments... all seem to be attacking a group of people they do not understand and therefore fear. In a country where half of all heterosexual marriages end in divorce, which forces their innocent children into lives of being shuttled back and forth between parents, shouldn't we support a group of people who want to have stable, lifelong relationships and raise children together, equally, with love and healthy support? These are the people with real family values.

Beth Senecal Howell, Michigan

Collin and Cayla's story- Ann Arbor, MI

I remember the first time I said "I love you" to my children and realized that I meant it. Collin and Cayla were 19 months old, and I had known them for 16 days. It was evening and my partner and I were packing up to take them back to their foster home after their second visit with us. As I carried Cayla out to the car, I kissed her and said those words. And I knew then that they were true, because I was so sorry to see her go, and I was worried about what might happen to her before I saw her again, and I was sad that I might miss her do something new, and I knew I would be devastated if she didn't miss me. I knew that night that she was my daughter, and that Collin was my son, even though I've never been legally recognized as their mother.

My partner, Flannery, and I initially questioned our ability to handle the needs of Collin and Cayla, who were born three months premature. Cayla spent four and a half of her first five months in the hospital. Collin lived in three foster homes. At 19 months old, neither could walk nor talk. Collin did not eat solid food. Cayla would sit in the middle of our living room, surrounded by toys, expressionless and not uttering a sound. There were speech, physical, and occupational therapy appointments; there were visits to the pulmonologist, gastroenterologist, neurologist, neurologist, ophthalmologist (along with the dentist and pediatrician). It was clear

that they needed a parent at home full time to address their medical and developmental needs.

It was difficult to decide which of us would leave our job. Ultimately I left my job as a teacher because it did not offer health insurance to dependents, while Flannery continued to work and provide benefits for the kids (although her company does not cover domestic partners and I must purchase private health insurance). Both of us could not legally adopt the twins, and since Flannery was the one with income and benefits, it only made sense for her to be their legal parent.

The problem with our decision, of course, is that Flannery, the twin's legal mother, is at work all day. I am the one who takes them to doctor's appointments, meets with their teachers at school, and does many of the day-to-day tasks of their legal parent. In some situations I am allowed to make decisions; however Flannery must frequently take time off of work to accompany us. I am their mother in every way, but I'm constantly aware that I'm relying on the good faith of others and not a legal document to recognize that. It makes both Flannery and I extremely nervous to know that at any time my relationship with my children can be questioned.

Our children are doing so well at three and a half years old. They are the stars of their developmental delay (ECDD) pre-school classroom. They are outgrowing many of their health issues and their speech is improving daily. But we were reminded of their challenges on their third birthday, when Cayla had her first seizure. So we know that even with all of their progress, our children will always need extra help and medical attention. As our children grow and mature, we feel it is their right to be guided and cared for by two legal parents.

Erika and Flannery, parents - formerly from Ann Arbor, MI and now Boston, MA

Melissa and Mary's story - *names have been changed to protect identity

I was a foster care social worker for twin girls, Melissa and Mary, age 8, several years ago. They have been removed from their birth mother due to extreme neglect, as they were malnourished and living in deplorable living conditions. Not only that, their grandfather was living in the home, and he had been sexually abusive to their birth mother when she was a child. These children were placed with their two "aunts," a same-sex couple who had been friends of the family and who had been "aunties" to the twins their whole lives. Melissa and Mary thrived in their home, learning to trust adults again, improving in their school work, and developing a loving parental bond to their aunties.

The birth mother did not approve of the placement due to their same-sex relationship, and she requested that the state agency I worked for find another home. I was against this move because I knew that removing from the only home where they felt safe and loved would be detrimental to their well-being. However, the state agency I worked for decided to appease the birth mother, and a maternal aunt and uncle came forward to take in the girls. The aunt and uncle were married, and had recently moved back to the city in which the family lived. However, they had no prior relationship to the twins. But because they were a traditional married family, the state agency insisted the girls be placed in their home.

I had had to remove the girls from their birth mother, and that was traumatic for them. Now I had to remove them again from their aunties' home and inflict yet another emotional trauma. I will never forget the look of horror and terror in their eyes as we drove away from their aunts' home, and their repeated question of "why do we have to leave?" They were so afraid, for they did not know their aunt and uncle and were terrified of being unloved and hurt yet again.

After a few months, it became apparent that things were not going well. The twins' schoolwork was deteriorating, and they had both retreated into emotional withdrawal. Through counseling, it was later revealed that their maternal uncle had been sexually abusing them, which began shortly after they were placed in the home. So not only did these girls have to endure being removed from the only safe home they had ever known, they were abused yet again by family members they were supposed to trust. The state also abused them by agreeing to remove them from a safe home because of discrimination and prejudice against a same-sex couple. There was absolutely no evidence that their aunties were harming them, and in fact, they had thrived in their care.

Fortunately, the twins were allowed to return to their aunties' home, and were eventually placed in one of the aunt's legal custody. The aunts were never able to co-adopt them because co-parent adoption was not permitted. There are still many risks these girls face, since only one of their aunts has legal guardianship of them. If she were to pass away, the other aunt would have no legal rights to the girls and they could become wards of the state yet again. However, at least they are finally being raised by two parents who love and protect them.

Beverly Davidson, LMSW - Social Worker and Infant Mental Health Specialist

Baby M's* story—Ann Arbor, MI

We watched our baby in awe, wiggling around on the ultrasound screen. The technician said, "the baby is giving us a good view - you're going to have a girl." "It's Baby M!" we exclaimed in unison. We had planned to wait until our baby was born to name him or her- but the moment we saw Baby M on the ultrasound we knew it was her. We sang her songs in utero. We told her stories. We readied our home for her arrival. She was born at Thanksgiving, and infinitely grateful we were. We were two joyful, exhausted new parents, Mommy and Mama. Parents by love, by act, by commitment. Yet only Mommy was recognized in the eyes of the law, as birth mom.

Because we both experienced a parent dying young, we wrote every will, Power of Attorney, form, or letter of intent we could to protect our daughter from being taken from her own Mama if something ever happened to her Mommy. Such documents, however, are not enough. Without an adoption, a court could consider Baby M a ward of the state, an orphaned child to be placed in foster care, despite Mommy's express wishes in her will (because wishes are wishes, and not legally binding).

Should we move to another state where Baby M could be cared for by both of her parents forever? Where both could guide any medical care she needs, where both could leave social security survivor benefits to her, where both could even sign her school permission slips and report cards? For now, we will stay in Michigan and try with every bone in our bodies to amend Michigan's adoption code to establish and protect her legal relationship to both Mommy and Mama. Our baby's safety and well-being come first.



^{*}Name has been changed to protect the child's identity.

Supporters of Second Parent Adoption

The following organizations support second parent adoption.

State and Regional Supporters

Adoption Options Worldwide, Inc. American Academy of Pediatrics. Michigan Chapter American Camp Association American Civil Liberties Union (ACLU) of Michigan Child and Family Services, Capital Area Coalition of Labor Union Women, Metro-**Detroit Chapter** Detroit Free Press Editorial Board Episcopal Church of the Incarnation Episcopal Diocese of Eastern Michigan Episcopal Diocese of Michigan Good Will Farm, Inc. (foster/adoptive care agency) Jackson City Human Relations Commission **Jewish Family Services** Michigan Association of Infant Mental Health Michigan Conference - National Organization of Women Michigan Federation of Business and Professional Women Michigan Psychiatric Society Michigan Women's Commission National Association of Social Workers (NASW)- MI Chapter National Council of Jewish Women Parents, Families, and Friend of Lesbian and Gays (PFLAG) - Detroit, Downriver, Jackson and St. Joseph Spaulding for Children (foster/adoptive care agency) State Bar of Michigan, Family Law Section

Washtenaw Area Council for Children

National Supporters

American Friends Service Committee: Quaker Organization Human Rights Campaign American Academy of Family Physicians American Academy of Pediatrics American Anthropological Association American Bar Association American Medical Association American Psychiatric Association American Psychoanalytic Association American Psychological Association Child Welfare League of America Evan P. Donaldson Adoption Institute National Association of Social Workers North American Council on Adoptable Children

What You Can Do to Help

Support policies that extend rights and benefits to all children.

When listening to debates around family issues, try to distinguish between politics and good policy. Good family policy will extend rights and benefits to the children in all types of families. Bad family policy will limit rights and benefits for children in certain families.

Talk to your legislators.

Legislators can't represent you well unless they know who you are. They ran for office because they wanted to serve the public and do the right thing. It is our job to help them understand the right thing. You can speak with your legislators by writing, calling, or arranging an appointment. To find your legislator, visit: http://www.michiganlegislature.org

Monitor the Progress of Second Parent Adoption Legislation.

To monitor the progress of HB 4259, visit: http://www.legislature.mi.gov The bill has been referred to the House Judiciary Committee.

Write to your local newspapers.

By sending letters to newspaper editors, you educate the public and key decision makers on the necessity of inclusive adoption policies.

Support Coalition for Adoption Rights Equality (CARE).

There are many ways you can support CARE's work for second parent adoption. For example, you can send monetary donations, join the email list, organize a lobby day in Lansing, arrange a speaking engagement, host a fundraising house party, or help to connect CARE with private funding opportunities. You may also register your organization as an official supporter of second parent adoption. To learn more, visit: www.secondparentadoption.org

Share this Booklet With Others

This booklet is available on CARE'S website at www.secondparentadoption.org. You may attach it to your own organization's website and disseminate it to your constituents. You may also pass it on to other organizations and ask them to do the same.

This project was conducted by Sara Crider, Shannon Johnson, and Kirstin Leiby, Master's of Social Work students at the University of Michigan and edited by Beverly Davidson, LMSW and Alexandra Matish, JD, CARE, Inc. Board Members.

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